REMARKS

Claims 1-24 were pending at the time of examination. Claims 1, 9 and 19 have been amended. Claims 8, 17 and 23 have been canceled. New claims 34-42 have been added. No new matter has been added. The Applicant respectfully requests reconsideration based on the following remarks.

Claim Rejections – 35 U.S.C. § 102

Claims 1-4, 9-12, 14, 18-20 and 24 were rejected under 35 U.S.C § 102(e) as being anticipated by U.S. Patent No. 6,970,095 to Lee et al. (hereinafter "Lee"). The Applicant respectfully fully traverses this rejection.

Claim 1, as amended, specifies that the theft prevention system is configured to:

"display a graphical user interface for a user of the portable electronic device to initiate the theft prevention system or to set one or more parameters to be used by the theft prevention system in detecting a theft condition;"

It is respectfully submitted that Lee does not disclose any graphical user interface with which a user can initiate or configure the detection of the acceleration of the portable electronic device, as required by claim 1. The theft detection system 10 disclosed in Lee does, in fact, not disclose any type of interface with which a user can interact to change the configuration settings of the theft detection system 10. For at least these reasons, the rejection of claim 1 is unsupported by the art and it is respectfully requested that the rejection be withdrawn.

Independent claim 9 is directed to a portable electronic device having a system for protecting against theft, and contains limitations relating to the graphical user interface that are similar to the limitations of claim 1, discussed above. Thus, for reasons similar to those set forth above, the rejection of claim 9 is unsupported by the art and it is respectfully requested that the rejection be withdrawn.

Independent claim 19 is directed to a method of protecting a portable electronic device against theft, and contains limitations relating to the graphical user interface that are similar to the limitations of claim 1. Furthermore, claim 19 recites the limitation of:

"comparing the acceleration signal to an empirically determined frequency profile corresponding to a theft condition so as to determine a metric measuring a correspondence between the frequency profile and the frequency characteristics of movement of the device;"

Lee does not disclose any comparisons that involve empirically determined frequency profiles corresponding to a theft condition, and does not disclose any metric that measures a correspondence between such a frequency profile and the measured frequency characteristics of the movement of the device. Thus, for at least these reasons and the reasons set forth above, the rejection of claim 19 is unsupported by the art and it is respectfully requested that the rejection be withdrawn.

Dependent claims 2-4 depend from independent claim 1, dependent claims 10-12 and 14 depend from independent claim 9, and dependent claims 20 and 24 depend from claim 19, and are not anticipated for at least the reasons presented above with respect to their independent claims.

Claim Rejections -- 35 U.S.C. § 103

Claims 5-8, 13, 15-17 and 21-23 were rejected under 35 U.S.C § 103(a) as being unpatentable over Lee, further in view of U.S. Patent No. 6,133,830 to D'Angelo et al. (hereinafter "D'Angelo"). The Applicant respectfully fully traverses this rejection.

Claims 8, 17 and 23 have been canceled, since similar limitations were incorporated into independent claims 1, 9 and 19. D'Angelo was cited by the Examiner as allegedly teaching the sleep mode function recited in claims 5 and 13, and the visual alarm features recited in claims 6-7, 15-17, and 21-22. It should be noted that the anti-theft device in D'Angelo is a two-unit system, which has one piece (the detector) installed in the portable article, and another piece (a control unit) carried by the owner of the portable article. When a possible theft condition is present, the detector sends a coded radio frequency signal to the control unit, which notifies the owner of the portable article (for example, through an LED indicator). It is then up to the user to decide whether it is appropriate or not to manually trigger the alarm. Thus, D'Angelo does not describe a visual alarm of the type disclosed in the applicant's specification and claims. At best, D'Angelo describes a discrete LED notification that can alert a user as to whether or not to trigger an alarm manually.

Furthermore, even if D'Angelo did describe features similar to the ones recited in the dependent claims, D'Angelo does not cure the deficiencies of Lee discussed above. For at least these reasons and the reasons it is respectfully submitted that claims 5-7, 13, 15-16 and 21-22 are neither anticipated nor rendered obvious by the Lee / D'Angelo combination and that the rejection be withdrawn

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Added claims

The Applicant has added new claims 34-42 to specify further functionalities of the graphical user interface. Support for these added claims can be found, for example, in figures 5-6 and the corresponding sections of the detailed description.

Conclusion

The Applicant believes that all pending claims are patentably distinct from the art of record and respectfully requests a Notice of Allowance for this application from the Examiner. If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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